CWP 1398 of 2002.

26.09.2007 Present: Mr. Bimal Gupta, Advocate for the petitioners.

Mr. Ramakant Sharma, counsel for respondents No.1 & 2.

Mr. M.S. Chandel, Advocate General with Ms. Meenakshi Sharma, Deputy Advocate General for respondent No.

Mr. Sanjeev Kuthiala, Advocate for respondents No.4 to 11.

The present writ petition is squarely covered by the judgment rendered by this Court in CWP No.641 of 2002 whereby the directions have been issued to the respondent-Bank to consider the petitioners on the basis of the Rules existing on the date of convening of Departmental Promotion Committee, i.e. 10.5.2002. So far as the relief 1-A is concerned; the same has become infructuous since the new Rules have come into force with effect from 26.6.2007.

Accordingly, this writ petition is allowed and the respondent-Bank is directed to consider the petitioners for promotion from Grade-IV to Grade-III as per the Rules existing on the date of convening the DPC, i.e. 10.5.2002. The petitioners will be entitled to all the consequential benefits including arrears of salary if they are found suitable for promotion from Grade-IV to Grade-III with effect from the date they become eligible for the same as has been held by the Hon'ble Supreme Court in ***State of Kerala V. E.K. Bhaskaran Pillai, (2007) 6 SCC 524.***

There shall be no order as to cots.

(Rajiv Sharma), Judge.

September 26, 2007 (sck).